

## E-Bike Redefinition Proposal

# Background/Current Status:

Under the *Highway Traffic Act* (HTA), e-bikes are treated as bicycles. The current definition of e-bikes in the HTA captures both conventional bicycle-style e-bikes and larger moped- or motorcycle-style e-bikes within a single class. As of February 19, 2021, Transport Canada has repealed the federal definition of e-bikes. While Ontario's law remains status quo, this means that e-bikes are no longer being regulated by the federal government.

In response to this change, the Ministry of Transportation (MTO) held stakeholder consultations in May 2019, November 2020 and January 2021 with municipalities, enforcement, industry, retailers and road safety stakeholders to present options on regulating e-bikes going forward. The ministry also posted the proposal for 30 days to the [Regulatory Registry](#) and [Environmental Registry](#) to seek public feedback. The ministry has collected and analyzed feedback from these channels, resulting in an update to the previous proposal shared.

Some of the concerns raised were regarding the safety of larger e-bikes mixing with pedestrians and other vulnerable road users and the current difficulties for municipalities in trying to divide smaller e-bikes from larger e-bikes on their local roads.

MTO is proposing legislative and regulatory amendments to the HTA to remove any reference to the former federal definition of e-bikes and substitute it for a new definition. The definition of an e-bike would be amended to include three specific classes:

- 1) Type 1 e-bikes: would include only bicycle-style e-bikes
- 2) Type 2 e-bikes: would include moped-style e-bikes
- 3) Type 3 e-bikes: would include motorcycle-style e-bikes

All three classes of e-bikes would continue to be treated as bicycles (they would not need to be registered or insured, and operators would not require a licence).

### Proposed e-bike framework:

#### **Three Classes of e-bikes:**

- 1) Type 1: Traditional Bicycle Style: E-bikes within this class must have a traditional bicycle style design. This includes a pedal-driven bicycle with a conventional exposed fork-and-frame appearance that does not resemble a motor scooter or motorcycle. This vehicle must meet the following requirements:
  - o Key Vehicle Requirements:
    - i. Maximum weight of 55 kg
    - ii. Maximum assisted speed of 32 km/h
    - iii. Twist grip throttles permitted

- iv. Maximum engine power – 500 watts
  - v. Wheel diameter 350 mm or greater
  - vi. Fitted at all times with pedals that are always operable to propel the bicycle
  - Key Operator Requirements:
    - i. Minimum operator age – 14
    - ii. Helmets required for riders under the age of 18
    - iii. Passengers allowed if there is a seat available - no age restriction
    - iv. No driver's licence, registration or insurance required
- 2) Type 2: Moped Style: E-bikes within this class must have the appearance of a motor scooter, with a seat and an open frame that may be stepped through and a platform on which the rider's feet may rest. This vehicle must meet the following requirements:
- Key Vehicle Requirements:
    - i. Maximum weight of 120 kg
    - ii. Maximum assisted speed of 32 km/h
    - iii. Twist grip throttles permitted
    - iv. Maximum engine power – 500 watts
    - v. Wheel diameter 350 mm or greater
    - vi. Fitted at all times with pedals that are always operable to propel the bicycle
  - Key Operator Requirements:
    - i. Minimum operating age of 16
    - ii. Helmets required for all riders
    - iii. Passengers allowed if there is a seat available – 16+
    - iv. No driver's licence, registration or insurance required
- 3) Type 3: Motorcycle Style
- E-bikes within this class must have the appearance of a motorcycle, with a saddle designed to be straddled and a footrest, pedals or pegs where the rider's feet may remain secure.
  - These e-bikes must meet the same requirements as set out for Type 2 e-bikes.

The ministry is also proposing to amend regulations to include a reference to electric power within the current definition of Limited-Speed Motorcycle.

- Currently, the limited-speed motorcycle definition is silent on electric power. This change would permit the use of electric limited-speed motorcycles.